

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

DATATRAK International, Inc.,

Plaintiff,

v.

Medidata Solutions, Inc.,

Defendant.

Case No. 1:11-cv-00458-PAG

Hon. Patricia A. Gaughan

**MEDIDATA'S NOTICE CONCERNING STATUS  
OF PTO REEXAMINATION**

Consistent with the Court's suggestion during the telephonic status conference on November 29, 2011, Medidata Solutions, Inc. ("Medidata"), through its undersigned counsel, provides a status update concerning the request for reexamination of the patent-in-suit.

As the Court is aware, Medidata filed a request for *ex parte* reexamination of all claims of DATATRAK's U.S. Patent No. 7,464,087 on October 28, 2011. On December 16, 2011, the USPTO granted Medidata's request and issued an Office Action rejecting all 52 claims of DATATRAK's patent in view of prior art references Medidata had submitted. DATATRAK has not yet responded to that Office Action.

During the November 29 status conference, the Court scheduled a subsequent conference to occur on January 6, 2012. However, on December 16, the Court granted Medidata's motion to stay this action until conclusion of the patent reexamination proceedings, noting that the case "will be closed" until the parties advise that those proceedings are concluded.

Medidata's understanding is that, in light of the Court's and the PTO's December 16 rulings staying this action and granting the request for reexamination, respectively, the status conference that had been scheduled for January 6 will not go forward. Accordingly, Medidata's counsel will remove the conference from our calendars unless the Court instructs that the conference will go forward.

DATED: January 4, 2012

By: /s/ David A. Schaefer  
David A. Schaefer  
das@mccarthylebit.com  
McCARTHY, LEBIT, CRYSTAL &  
LIFFMAN CO., LPA  
101 West Prospect Avenue, Suite 1800  
Cleveland, Ohio 44115  
(216) 696-1422 (Telephone)  
(216) 696-1210 (Facsimile)

Janine A. Carlan  
carlan.janine@arentfox.com  
Aziz Burgy  
burgy.aziz@arentfox.com  
Arent Fox LLP  
1050 Connecticut Avenue, NW  
Washington, DC 20036-5339  
(202) 857-6000 (Telephone)  
(202)857-6395 (Facsimile)

Attorneys for Defendant  
Medidata Solutions, Inc.

**CERTIFICATE OF COMPLIANCE WITH LR 7.1(f)**

Pursuant to LR 7.1(f), this case is on a complex management track. I certify that *Medidata's Notice Concerning Status of PTO Reexamination* adheres to the page limitations set forth in LR 7.1(f).

/s/ David A. Schaefer

**CERTIFICATE OF SERVICE**

I certify that a copy of *Medidata's Notice Concerning Status of PTO Reexamination* and all accompanying papers were electronically filed on January 4, 2012. Notice of filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ David A. Schaefer